

REMARKS

The Examiner rejected claims 1-2 and 11-17 under 35 U.S.C. 112, first paragraph.

The Examiner rejected claims 1-2, 12-17, 19-21, and 24-30, and 34-36 under 35 U.S.C. 112, first paragraph.

The Examiner rejected claims 13, 20, and 25 under 35 U.S.C. 112, first paragraph.

The Examiner rejected claims 1-2 and 11-33 under 35 U.S.C. § 102(b) as allegedly being anticipated by US Patent 5,987,415 Breese *et al*; Modeling a User's emotion and Personality in a computer user interface.

The Examiner rejected claims 34-36 under 35 U.S.C. § 103(a) as allegedly being unpatentable over US Patent 5,987,415 Breese *et al*; Modeling a User's emotion and Personality in a computer user interface as applied to claims 1, 11-33 above, and further in view of US Patent 5,848,396 Gerace Method and Apparatus for Determining Behavioral Profile of A Computer User.

Applicants respectfully traverse the §102, §102, and §103 rejections with the following arguments.

35 U.S.C. §112, First Paragraph: Claims 1-2 and 11-17

The Examiner rejected claims 1-2 and 11-17 under 35 U.S.C. 112, first paragraph.

The Examiner argues: “Claims 1-2 and 11-17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement as well as new enablement rejections on additional limitations. The claims contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.”

In response, Applicants note that the Examiner has not provided any evidence or arguments to support the Examiner’s contention that claims 1-2 and 11-17 fail to comply with the enablement requirement. Applicants respectfully contend that claims 1-2 and 11-17 do not fail to comply with the enablement requirement.

Based on the preceding arguments, Applicants respectfully request that the rejection of claims 1-2 and 11-17 under 35 U.S.C. 112, first paragraph be withdrawn.

35 U.S.C. §112, First Paragraph: Claims 1-2, 12-17, 19-21, 24-30, and 34-36

The Examiner rejected claims 1-2, 12-17, 19-21, 24-30, and 34-36 under 35 U.S.C. 112, first paragraph.

Applicants respectfully contend that the rejection of claims 17, 19-21, 24-29 under 35 U.S.C. 112, first paragraph is moot, since claims 17, 19-21, 24-29 have been canceled.

The Examiner argues: "Claims 1-2 and 12-17, 19-21 and 24-30, 34-36 recite the limitations of "deducing a value" of variables, however the disclosure fails to teach how the "deducing" is done. Examples are given when a specific type of variable is used and what those variables indicate. However, there are no specific steps that would allow one skilled in the art to make and/or use the applicants invention to "deduce" the value of a variable. Applicant fails to identify how a variable is even identified and/or know to the user let alone how one would "deduce" a value of this unknown variable."

In response, Applicants assert that the following text in Applicants' specification, page 6, line 13 - page 7, line 3 describes how the extroversion-introversion variable may be deduced:

"For example, the value of the extroversion-introversion variable may be deduced from the time that the user 100 typically spends on a web page before moving on (called here "topic dwelling time"), or from the brevity or lengthiness of chatroom postings by the user 100, or from knowledge of a hobby of the user 100. More specifically, an extrovert moves quickly from one web page to another, i.e., has a low average topic dwelling time, makes chatroom postings that are relatively short and directed to a relatively large number of recipients, and enjoys hobbies such as group games and team sports (and, consequently, may have purchased equipment related to the hobby in the past). Conversely, an introvert has a higher average topic dwelling time, makes chatroom postings that are relatively long and directed

to relatively few recipients, and enjoys hobbies such as reading, gardening, and sewing.”

In further response, Applicants assert that the following text in Applicants’ specification, page 7, lines 4 - 9 describes how the sensing-intuition variable may be deduced:

“Likewise, the value of the sensing-intuition variable may be deduced from, for example, linguistic analysis of the chatroom postings of the user 100. Chatroom postings of a user 100 who is characterized by sensing may be simple and to the point, using verbs in the past and present tenses; whereas chatroom postings of a user 100 who is characterized by intuition may often include compound sentences, frequently with repetition, recaps, and rephrasing, using verbs in the future tense.”

In further response, Applicants assert that the following text in Applicants’ specification, page 7, lines 10-16 describes how the thinking-feeling variable may be deduced:

“Further, the value of the thinking-feeling variable may be deduced from, for example, sociological analysis of the chatroom postings of the user 100. A user who is characterized by thinking may seldom ask whether timing is convenient for another chatroom participant, may offer praise sparingly to others, may often neglect social niceties, and may use people’s names infrequently; whereas a user who is characterized by feeling may often ask if timing is convenient for another, is often generous with praise, engages in social niceties, and uses people’s names frequently.”

In further response, Applicants assert that the following text in Applicants’ specification, page 7, line 17 - page 8, line 1 describes how the judging-perceiving variable may be deduced:

“The value of the judging-perceiving variable may be deduced from, for example, observation of a choice by the user 100 of an interface with the server 110. A user

who is characterized by judging may choose an organized interface, whereas a user who is characterized by perceiving may choose an interface that is artistic, creative, and fun to use.”

Based on the preceding arguments, Applicants respectfully request that the rejection of claims 1-2, 12-17, 19-21, and 24-30, and 34-36 under 35 U.S.C. 112, first paragraph be withdrawn.

35 U.S.C. §112, First Paragraph: Claims 13, 20, and 25

The Examiner rejected claims 13, 20, and 25 under 35 U.S.C. 112, first paragraph.

Applicants respectfully contend that the rejection of claims 20 and 25 under 35 U.S.C. 112, first paragraph is moot, since claims 20 and 25 have been canceled.

The Examiner argues: "Claims 13, 20 and 25 recite the limitation of "majority-vote" algorithm. Applicants disclosure states using log entries in the majority-vote algorithm in which the log with the greatest number of entries is the majority and that type, however, the applicants disclosure fails to teach how one of ordinary skill in the art at the time of invention would identify what is placed into which category log. The disclosure makes suggestions by way of examples but not specific teaching for one to understand how to determine what action or event would be determined as for example extroversion or introversion."

In response, Applicants assert that the following text in Applicants' specification, page 9, lines 9 - 15 teach how one of ordinary skill in the art at the time of the invention would identify what is placed into the extroversion log and the introversion log:

"When an event is observed, the personality engine 120 records the occurrence of the event in the appropriate log (step 250). For example, the log of the extroversion-introversion variable may be kept as follows: when the user 100 makes a chatroom posting that has a length of less than twenty words, a counter of events indicative of an extrovert personality may be incremented; conversely, when the user 110 makes a chatroom posting having twenty or more words, a counter of events indicative of an introvert personality may be incremented."

In further response, Applicants assert that the following text in Applicants' specification, page 6, line 13 - page 7, line 3 describes what action or event would indicate extroversion or introversion:

"For example, the value of the extroversion-introversion variable may be deduced from the time that the user 100 typically spends on a web page before moving on (called here "topic dwelling time"), or from the brevity or lengthiness of chatroom postings by the user 100, or from knowledge of a hobby of the user 100. More specifically, an extrovert moves quickly from one web page to another, i.e., has a low average topic dwelling time, makes chatroom postings that are relatively short and directed to a relatively large number of recipients, and enjoys hobbies such as group games and team sports (and, consequently, may have purchased equipment related to the hobby in the past). Conversely, an introvert has a higher average topic dwelling time, makes chatroom postings that are relatively long and directed to relatively few recipients, and enjoys hobbies such as reading, gardening, and sewing."

Based on the preceding arguments, Applicants respectfully request that the rejection of claims 13, 20, and 25 under 35 U.S.C. 112, first paragraph be withdrawn.

35 U.S.C. §102(b)

The Examiner rejected claims 1-2 and 11-33 under 35 U.S.C. § 102(b) as allegedly being anticipated by US Patent 5,987,415 Breese *et al*; Modeling a User's emotion and Personality in a computer user interface.

Applicants respectfully contend that the rejection of claims 17-29 and 31-33 under 35 U.S.C. 102(b) is moot, since claims 17-29 and 31-33 have been canceled.

Based on the preceding arguments, Applicants respectfully maintain that Breese does not anticipate claim 1, and that claim 1 is in condition for allowance. Since claims 2, 11-16, and 30 depend from claim 1, Applicants contend that claims 2, 11-16, and 30 are likewise in condition for allowance.

Applicants respectfully contend that Breese does not anticipate claim 1, because Breese does not teach each and every feature of claim 1.

As a first example of why Breese does not anticipate claim 1, Breese does not teach the feature: "logging occurrences of events that are implicitly relevant to deducing at least one value of each personality type variable of a plurality of personality type variables of a personality type indicator associated with the user during a first session over the Internet between the user and the server, said events consisting of user interactions with Internet web sites that the user visits during the first session".

As a second example of why Breese does not anticipate claim 1, Breese does not teach the feature: "deducing the at least one value of each personality type variable from the logged

occurrences of events by utilizing characteristics of said user interactions with Internet web sites that the user visits during the first session”.

As a third example of why Breese does not anticipate claim 1, Breese does not teach the feature: “recording each value of the deduced at least one value of each personality type variable in a corresponding log that is specific to each value, resulting in a set of logs that comprises the corresponding logs in which said least one value of each personality type variable has been recorded”.

As a fourth example of why Breese does not anticipate claim 1, Breese does not teach the feature: “customizing a presentation of information from Internet web sites to the user by the server according to a value of the personality type indicator”.

Based on the preceding arguments, Applicants respectfully maintain that Breese does not anticipate claim 1, and that claim 1 is in condition for allowance. Since claims 2, 11-16, and 30 depend from claim 1, Applicants contend that claims 2, 11-16, and 30 are likewise in condition for allowance.

35 U.S.C. §103(a)

The Examiner rejected claims 34-36 under 35 U.S.C. § 103(a) as allegedly being unpatentable over US Patent 5,987,415 Breese *et al*; Modeling a User's emotion and Personality in a computer user interface as applied to claims 1, 11-33 above, and further in view of US Patent 5,848,396 Gerace Method and Apparatus for Determining Behavioral Profile of A Computer User.

Since claims 34-36 depend from claim 1, which Applicants have argued *supra* to not be unpatentable over Breese under 35 U.S.C. §102(b), Applicants maintain that claims 34-36 are likewise not unpatentable over Breese in view of Gerace under 35 U.S.C. §103(a).

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account No. 09-0457.

Date: 10/12/2006

Jack P. Friedman

Jack P. Friedman
Registration No. 44,688

Schmeiser, Olsen & Watts
3 Lear Jet Lane, Suite 201
Latham, New York 12110
(518) 220-1850